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161523

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*5/14/03 \$465.*

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52-153/112



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*10276-014002 mtr*

⑈ 161523 ⑈ ⑆011201539⑆ 80 071 123⑈

Attorney's Docket No. 10276-014002	Express Mail Label No.	Mailing Date May 14, 2003	<b>For PTO Use Only</b> Do Not Mark in This Area
Application No. 09/159,068	Filing Date September 23, 1998	Attorney/Secretary Init PLM/mtr	
Title of the Invention REGULATION OF EATING BEHAVIOR			
Applicant Eleftheria Maratos-Flier et al.			
Enclosures ·Amendment/Response (7 pages) ·Check in the amount of \$465.00 ·Petition for Extension of Time (3 months)			



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# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/159,068	09/23/1998	ELEFThERIA MARATOS-FLIER	10276/014002	4696

26161 7590 07/10/2003  
FISH & RICHARDSON PC  
225 FRANKLIN ST  
BOSTON, MA 02110



EXAMINER

SAOUD, CHRISTINE J

ART UNIT PAPER NUMBER

1647

DATE MAILED: 07/10/2003

23

Please find below and/or attached an Office communication concerning this application or proceeding.

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LOUIS MYERS

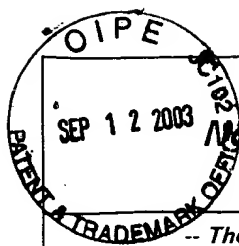
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Docketed By Practice Systems	
Action Code:	AB-PTO Emv
Base Date:	7/10/03
Due Date:	9/10/03
Deadline:	9/10/03
Initials:	LS
Record:	

Entered By Billing Secretary	
Date:	
Initials:	MXC



# Notice of Abandonment

Application No. <b>09/159,068</b>	Applicant(s) <b>Eleftheria Marato-Flier et al</b>
Examiner <b>Saoud, Christine</b>	Art Unit <b>1647</b>




-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on Nov 14, 2002.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted issue fee of \$ \_\_\_\_\_ is insufficient. A balance of \$ \_\_\_\_\_ is due.

The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d) is \$ \_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed new formal drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

  
**GARY KUNZ**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNICAL CENTER**

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.